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Solutions, Inc. and Axiom Bank N.A.

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

CHRISTOPHER WATKINS, on behalf
of himself and all others similarly
situated,

Plaintiff,

vs.

RAPID FINANCIAL SOLUTIONS,
INC. d/b/a ACCESS FREEDOM
CARDS; CACHE VALLEY BANK;
AXIOM BANK N.A.; DOES 1 through
10, inclusive,

Defendants.

Case No. 3:20-cv-00509-MMD-WGC

**STIPULATION TO STAY FED. R.
CIV. P. 26(f) DISCOVERY PLAN
AND SCHEDULING ORDER**

1 Plaintiff Christopher Watkins and Defendants Rapid Financial
2 Solutions, Inc. (“Rapid”) and Axiom Bank N.A. (“Axiom”) stipulate to
3 temporarily stay discovery in this case, including the parties’ respective obligations
4 under Fed. R. Civ. 26(f), 26(a)(1), and LR 26-1. This is the parties’ first request to
5 stay the filing of their Fed. R. Civ. P. 26(f) discovery plan and scheduling order
6 and is made on the following grounds:

7 1. On September 29, 2020, Rapid and Axiom filed a motion to
8 compel arbitration (ECF No. 13). After a stipulated extension (ECF Nos. 16 &
9 18), Mr. Watkins opposed that motion on October 23, 2020 (ECF No. 20).

10 2. On October 26, 2020, the parties met and conferred
11 telephonically as required by Fed. R. Civ. P. 26(f) and LR 26-1.

12 3. During that discovery conference, the parties discussed the
13 potential impact of the motion to compel arbitration on the schedule for discovery
14 in this case. On this issue, the parties agreed that, if granted, the motion to compel
15 arbitration will result in all of Mr. Watkins’ claims being referred to arbitration.

16 4. As a result, the parties agreed that the commencement of
17 discovery, including the filing of a joint stipulated discovery plan and scheduling
18 order, should be stayed pending resolution of the motion to compel arbitration in
19 order to minimize the costs associated with discovery in this case until the Court
20 determines the proper forum for this action.

21 5. The parties believe that this temporary stay will serve Fed. R.
22 Civ. P. 1’s goal of “secur[ing] the just, speedy, and inexpensive determination of
23 every action and proceeding.”

6. Should the Court deny the motion to compel arbitration, the parties agree to file their discovery plan and scheduling order within 14 days of the Court's order.

THIERMAN BUCK, LLP

KAEMPFER CROWELL

/s/ Mark R. Thierman



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ORDER

IT IS SO ORDERED.

William G. Cobb

UNITED STATES MAGISTRATE JUDGE

DATED: February 11, 2021

Desiree Staggs

From: Leah L. Jones <leah@thiermanbuck.com>
Sent: Wednesday, February 10, 2021 10:08 AM
To: Sihomara Graves
Cc: Desiree Staggs; Josh Buck; Mark Thierman
Subject: RE: DRAFT Discovery Plan and Scheduling Order

Siho,

Yes, please file with Mark electronic.

Have a good day.

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Please consider the environment before printing this e-mail.

From: Sihomara Graves <SGraves@kcnvlaw.com>
Sent: Wednesday, February 10, 2021 10:03 AM
To: Leah L. Jones <leah@thiermanbuck.com>
Cc: Desiree Staggs <DStaggs@kcnvlaw.com>
Subject: RE: DRAFT Discovery Plan and Scheduling Order

Good morning Leah,

We have discovered that while we finalized the discovery plan and scheduling order, it was inadvertently missed for filing. We are filing it now, but want to ensure we're still good with using yours (or Mark's) electronic signature.

Thank you, and sorry that this was missed.

Thanks,